



**DEPARTMENT OF PUBLIC SAFETY  
POLICIES & PROCEDURES**



POLICY NUMBER	
OPR:15	
EFFECTIVE DATE: 05/10/2010	ORIGINAL ISSUED ON: 10/07/1994
REVISION NO:  2	

**SUBJECT: PREMISE INSPECTIONS**

## **1.0 PURPOSE**

The purpose of this policy is to provide guidance to commissioned employees in conducting premise inspections to verify compliance with state liquor and gaming laws.

## **2.0 POLICY**

It is the policy of the Department of Public Safety to establish a uniform method for commissioned officers/agents of the Department to conduct premise inspections at licensed liquor and gaming establishments. These inspections are to be done in a reasonable manner ensuring compliance with the Liquor Control Act and the Alcohol and Gaming Division's Rules and Regulations.

## **3.0 APPLICABILITY**

This policy applies to all commissioned officers of the Department of Public Safety.

## **4.0 REFERENCES**

- A. 60-3A-4 NMSA, 1978, Storage Permitted**
- B. 60-3A-6 NMSA, 1978, Authority of the Department of Public Safety**
- C. 60-4B-1 NMSA, 1978, Special Investigations Division**
- D. 60-4B-4 NMSA, 1978, Investigative Authority and Powers**

## **5.0 DEFINITIONS**

- A. Informal Premise Inspection** – All other types of inspections, bar checks, or similar visits by officers/agents wherein a Premise Inspection Form is not utilized.
- B. Premise Inspection Form** – A form adopted by the Department to be used during formal, physical premise inspections of licensed liquor or gaming establishments, or licensed premises under a special dispensers permit. This form shall be utilized by agents to verify compliance with the Liquor Control Act and the Alcohol and Gaming Division's Rules and Regulations.

## **6.0 PROCEDURE**

### **A. Premise Inspections**

1. When conducting premise inspections, officers/agents shall:
  - a. Utilize forms adopted by the Department of Public Safety.
  - b. Make reasonable efforts to conduct formal and informal premise inspections during the days and times when licensed establishments are permitted to conduct business, as specified by New Mexico State Statute.

## **PREMISE INSPECTIONS**

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- c. Make a reasonable effort to minimize distractions to licensed establishments when conducting formal premise inspections.

### **B. Premise Inspection Form**

1. Agents shall use the Department approved premise inspection form(s) when conducting formal premise inspections.
2. Agents shall complete the form appropriately.
3. The original copy of the form will be forwarded to the Special Investigations Division (SID) office in Albuquerque within ten (10) days of the inspection.
4. A hard copy of the inspection form will be maintained at the Albuquerque SID office.
5. A copy of the form shall be provided to the establishment inspected upon request.

### **C. Violations**

1. When appropriate, citations or warnings may be issued at the discretion of the agent at the time violations are detected.

### **D. Exceptions**

1. This policy does not preclude inspections from being conducted at times other than specified by statute with the concurrence of the licensee or their designee, or when conducting a criminal/administrative investigation.

## **7.0 ATTACHMENTS**

### **A. Premise Inspection Form**

## **8.0 APPROVAL**

APPROVED BY: s/John Denko DATE: May 10, 2010  
DPS Cabinet Secretary